

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

BELINDA HERNANDEZ, for A.I.A.,

Plaintiff,

v.

ACTION NO. 4:19cv106

**ANDREW SAUL,
Commissioner of Social Security,**

Defendant.

FINAL ORDER

Plaintiff Belinda Hernandez ("Hernandez"), on behalf of her minor son, A.I.A., brought this action seeking judicial review of the Commissioner of Social Security Administration's ("Commissioner") final decision denying A.I.A.'s claim for supplemental security income ("SSI") under Title XVI of the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on July 6, 2020, recommending that the Court deny Hernandez's Motion for Summary Judgment, ECF No. 13; grant the Commissioner's Motion to Dismiss, ECF No. 14; and dismiss the case with prejudice. By copy

of the Report and Recommendation, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. No objections were filed by either party and the time for filing said objections has expired.

Having reviewed the record, and finding no error, the Court hereby **ADOPTS** the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on July 6, 2020. Accordingly, the Court **DENIES** Hernandez's Motion for Summary Judgment, ECF No. 13; **GRANTS** the Commissioner's Motion to Dismiss, ECF No. 14; and **DISMISSES** the case **WITH PREJUDICE**.

Plaintiff is **ADVISED** that she may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to plaintiff and to counsel of record for Defendant.

IT IS SO ORDERED.


/s/

Mark S. Davis
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
August 11, 2020